

**ENTERED**

November 12, 2015

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

VS.

LEOBARDO MUNIZ-BANDA

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§  
§

CRIMINAL ACTION NO. 1:15-CR-861

## ORDER

BE IT REMEMBERED on this 10<sup>th</sup> day of November, 2015, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed October 08, 2015, wherein the defendant Leobardo Muniz-Banda waived appearance before this Court and appeared before the United States Magistrate Judge Ignacio Torteya, III for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The magistrate judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Leobardo Muniz-Banda to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge be and is hereby adopted. The Court finds the Defendant Leobardo Muniz-Banda guilty of the offense of alien who had previously been denied admission, excluded, deported, or removed, after having been convicted of a felony, knowingly and unlawfully was present in the United States having been found in Cameron County, Texas, the said defendant having not obtained consent to reapply for admission into the United States from the Attorney General of the United States or Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557, in violation of Title 8, United States Code, Section 1326(a) and 1326(b)(1).

Signed this 10<sup>th</sup> day of November, 2015.



Andrew S. Hanen  
United States District Judge